

REMARKS

Status of the Claims

Claims 1-16 and 18-25 are pending in the application, Claim 17 having previously been canceled. Claims 18 and 24 have been amended as indicated above, to more clearly define the present invention.

Claims Rejected under 35 U.S.C. § 102(e)

The Examiner has rejected Claims 1-9, 11, and 18-25 as being anticipated by U.S. Patent No. 6,300,947 (Kanevsky). The Examiner asserts that Kanevsky describes each element of applicants' claimed invention. Applicants respectfully disagree for the reasons noted below.

In the interest of reducing the complexity of the issues for the Examiner to consider in this response, the following discussion focuses on independent Claims 1, 22, and 25 and amended independent Claims 18 and 24. The patentability of each dependent claim is not necessarily separately addressed in detail. However, applicants' decision not to discuss the differences between the cited art and each dependent claim should not be considered as an admission that applicants concur with the Examiner's conclusion that these dependent claims are not patentable over the cited references. Similarly, applicants' decision not to discuss differences between the prior art and every claim element, or every comment made by the Examiner, should not be considered as an admission that applicants concur with the Examiner's interpretation and assertions regarding those claims. Indeed, applicants believe that all of the dependent claims patentably distinguish over the references cited. However, a specific traverse of the rejection of each dependent claim is not required, since dependent claims are patentable for at least the same reasons as the independent claims from which the dependent claims ultimately depend.

With regard to the applicants' previous traverse of this rejection, the Examiner asserts that the claim language does not explicitly define the form that the "additional content" must take and therefore can be interpreted broadly, so that "objects and links" can be considered "additional content" (Office Action, page 14, lines 17-20). The Examiner supports his assertion by citing two portions of applicants' specification, which state that the contents may comprise "text, video, or graphics...or other contents of the various types typically contained in web pages," and which states that the content may be limited to "small icons or only a few lines of text." In addition, the Examiner

1 further supports his assertion by citing applicants' specification, which states that "a content item
2 may comprise a URL hyper link to a Web page with additional detail about the content item."

3 However, these citations either refer to what the *primary* content may include or refer to the
4 use of content in situations where the content as included by the web page designer does not fit a
5 display size and thus, by definition is primary content. If the content as originally included cannot fit
6 the display size, then clearly, there is no reason to consider what additional content to add.
7 Specifically, the first citation states that "*Primary* content 70 may comprise text, video, or graphics
8 and may include sounds, or other content of the various types typically contained in Web pages"
9 (emphasis added, see applicants' specification, page 10, lines 32-34). Moreover, the second citation
10 refers to devices such as PDA's, cellular telephones, and other similar small, portable client devices
11 (see applicants' specification, page 20, lines 24-27) that are so small that these devices cannot display
12 the content originally included by the web page designer. It should be apparent that the content
13 originally intended to be included in the web page by the designer of the page *is the primary content*,
14 of the page and is not additional content, within the context of the claims. The third citation also
15 refers to problems encountered when primary content cannot be displayed as intended by the
16 designer, for example on cellular phones that include displays too small in size to display the entire
17 primary content. It is then necessary to consider using URL hyperlinks to a Web page to provide the
18 additional detail about one or more content items so that the content as originally included by the
19 designer (primary content) is displayable on the small cellular phone display (see applicants'
20 specification, page 21, lines 18-20). So, primary content may indeed be objects or accessed through
21 links, but only when the display size is too small to accommodate the primary content as designed.

22 Thus, although the form the additional content takes is not explicitly defined, it is implicitly
23 defined. First, the form the additional content takes must fit in any remaining area of the display
24 screen not needed for displaying the primary content without requiring scrolling, either at all, or
25 alternatively, in no more than one direction. Applicants' FIGURE 7 pertains to how an "embodiment
26 maximizes use of the available display area by selecting and displaying content modules that will fill
27 the largest amount of display space available without requiring scrolling at all, or alternatively in no
28 more than one direction. A block 222 detects and returns corresponding browser compatible
29 instructions along with the parsed size data for the content modules. A block 224 indicates that a
30 primary content module is displayed. A decision block 226 determines whether there is enough

1 display area remaining for the smallest currently non-displayed content module to be added. If not,
2 then optionally, at a block 227, the smallest non-displayed content module is modified in an attempt
3 to fit the module to the remaining display area (see applicants' specification, page 18, lines 25 –
4 page 19, line 8). This modified content is the additional content and is modified in an attempt to fit
5 the added module to the remaining display area. Also, this content must be fully displayed, as
6 indicated in the specification by the following two citations:

7 A first aspect of the present invention is directed to a method for selectively displaying
8 additional content on a display device within a limited browser window display area.
9 The method includes the steps of detecting the size of an available display area, and
10 determining whether the additional content and primary content can both be *fully*
11 *displayed* in the available display area without requiring scrolling in more than one
12 direction. If so, both the additional content and primary content are displayed.
Otherwise, only the primary content is displayed in the display area. (See applicants'
specification, page 4, lines 13-20. Emphasis added.)

13 Preferably, the method determines if at least one dimension (e.g., a width or a height) of
14 the available display area is at least equal to a predefined value, so that the display area is
15 sufficient to display the additional content without scrolling in more than one direction.
16 The method can also iteratively determine whether still more content can be *fully*
17 *displayed* in the available display area without requiring scrolling along with the primary
18 content and any previously added content. (See applicants' specification, page 5,
lines 1-7. Emphasis added.)

19 Thus, the form that the additional content must take is implicitly defined, since the *additional*
20 *content is only added* if the additional content and the primary content can *both* be fully displayed in
21 a single Web page in the available display area without requiring scrolling in more than one direction
22 and without requiring a modification of either the primary or the additional content that results in
23 either the primary or the additional content being perceived in less than its entirety on the single Web
24 page. Objects and links that require further manipulation by the user to view the contents do not
25 conform to this requirement. Thus, contrary to what the Examiner asserts, additional content cannot
26 be interpreted so broadly such that objects and links that require further manipulation by the user to
27 view the contents are considered part of the additional content.

28 The Examiner also asserts that a link, while being a reference to other content, can itself
29 alone, be considered additional content or a portion of content and that the second paragraph of
30 page 21 in applicants' specification supports this interpretation. Thus, the Examiner concludes that

1 the specification contradicts the argument made by the applicants in their response. However, as
2 stated earlier, the second paragraph of page 21 refers to the situation where web content as originally
3 designed to be included, cannot fit on the small display of devices such as cellular phones or PDA's.
4 Thus, it is only the web content originally intended by the designer of the web page to be included on
5 the web page that is primary content, which may permissibly be modified so as to include links.

6 Further, the Examiner asserts that Kanevsky teaches objects (such as icons, text, graphic
7 images) and links can be added to a web page when there is space to display both the primary and
8 additional content, and that Kanevsky's method does not explicitly limit the additional content as
9 being related to the primary content (Office Action, page 18, lines 15-19). However, Kanevsky
10 explicitly states that if the user views the web site on a screen, which is larger than a standard display
11 screen, not only are icons I1, I2, I3, I4 and links L1, L2, L3, and L4 displayed, but also, some other
12 icons and links that are *hierarchically* related to those items are displayed (emphasis added,
13 Kanevsky, column 2, lines 40-44). Thus, in the case where there is additional room to display
14 content other than the primary content, Kanevsky only adds additional content that is hierarchically
15 related to the primary content. This limitation is also supported by Kanevsky's reference to how the
16 user of the larger display screen would be more satisfied if he could view the content of many links
17 simultaneously, instead of activating several links *hierarchically* before he arrives at the link
18 containing the needed information (emphasis added, Kanevsky, column 1, lines 25-33).

19 In contrast, as stated in applicants' response to the first Office Action (dated 2/13/2004) on
20 page 12, added content will likely (although not necessarily) include advertising that is not generally
21 related to the primary content (see applicants' specification, page 11, lines 23-25). Accordingly, the
22 rejection of independent Claims 1, 22, and 25 and the rejection of newly amended independent
23 Claims 18 and 24 under 35 U.S.C. § 102(e) over Kanevsky should be withdrawn, based on the
24 reasons given above, since all of the independent claims now provide that the additional content is
25 not necessarily related to the primary content. Because dependent claims are considered to include
26 all of the elements of the independent claims from which the dependent claims ultimately depend, the
27 rejection of dependent Claims 2-9 and 11, 19-21, and 23 under 35 U.S.C. § 102(e) over Kanevsky
28 should also be withdrawn, for at least the same reasons discussed above in regard to the rejection of
29 Claims 1, 18, 22, 24, and 25 over this reference.

30 Claims Rejected under 35 U.S.C. § 103(a)

1 Claim 10 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Kanevsky in view of
2 U.S. Patent No. 6,098,096 (Tsirigotis et al., hereinafter “Tsirigotis”). The Examiner asserts that it
3 would have been obvious to one of ordinary skill in the art at the time the invention was made to
4 modify the method disclosed by Kanevsky in the manner taught by Tsirigotis. However, Claim 10
5 depends from independent Claim 1, which is patentable for the reasons discussed above. And because
6 a dependent claim inherently includes all of the elements of the independent claim from which the
7 dependent claims ultimately depends, dependent Claim 10 is patentable for at least the same reasons
8 discussed above with regard to independent Claim 1. Accordingly, the rejection of dependent Claim 10
9 under 35 U.S.C. § 103(a) over Kanevsky in view of Tsirigotis should be withdrawn.

10 Claims 12-16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Kanevsky in
11 view of U.S. Patent No. 6,593,943 (MacPhail). With regard to independent Claim 12, the Examiner
12 asserts that Kanevsky displays only the portion of the content that can be fully displayed in the
13 available display area without scrolling in more than one direction and without requiring a modification
14 of the content that results in the content being perceived in less than its entirety (Office Action, page 11,
15 lines 13-17). However, Kanevsky does not fully display *only* the portion of the content, but instead
16 also displays a link to another portion of content. Specifically, Kanevsky states that if a first object
17 has a higher priority than another object and both objects cannot together fit a small display screen,
18 then the object with higher priority is displayed on the screen, and the object of lower priority is
19 accessed by displaying a *hypertext link* to another web page where the lower priority object can be
20 fully displayed (see Kanevsky, column 11, lines 15-24). Thus, what is displayed by Kanevsky is not
21 only the portion of the content that can be fully displayed, but can be a combination of one portion of
22 content and link to a different portion of the content that is not fully displayed until the link is
23 activated to view the content on another web page. So, Kanevsky’s *combination* display method is
24 unlike applicants’ claimed invention, which is directed towards displaying *only* the portion of the
25 content that can be fully displayed. Accordingly this claim distinguishes over Kanevsky and the
26 rejection of independent Claim 12 under 35 U.S.C. § 103(a) over Kanevsky in view of MacPhail
27 should be withdrawn. Because dependent claims include all of the elements of the independent
28 claims from which the dependent claims ultimately depend, the rejection of dependent Claims 13-16
29 under 35 U.S.C. § 103(a) over Kanevsky in view of MacPhail should also be withdrawn for at least
30 the same reasons as the rejection of Claim 12.

In view of the amendments and Remarks set forth above, it will be apparent that the claims in this application define a novel and non-obvious invention, and that the application is in condition for allowance and should be passed to issue without further delay. Should any further questions remain, the Examiner is invited to telephone applicants' attorney at the number listed below.

Respectfully submitted,

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I hereby certify that this correspondence is being deposited with the U.S. Postal Service in a sealed envelope as first class mail with postage thereon fully prepaid addressed to: Commissioner for Patents, Alexandria, VA 22313-1450, on October 18, 2004.

Date: October 18, 2004

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